

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

FLORIDA CABLE
TELECOMMUNICATIONS ASSOCIATION,
INC.,

Complainants,

v.

GULF POWER COMPANY,

Respondent.

E.B. Docket No. 04-381

To: Office of the Secretary

Attn.: The Honorable Richard L. Sippel
Chief Administrative Law Judge

**GULF POWER COMPANY'S MOTION FOR EXTENSION OF TIME
TO RESPOND TO COMPLAINANTS' MOTION TO COMPEL**

Gulf Power Company ("Gulf Power"), pursuant to 47 C.F.R. § 1.205, respectfully requests a 14-day extension of time to respond to complainants' motion to compel. In support of this motion, Gulf Power says the following:

1. On Monday, July 11, 2005, complainants served a 73-page motion to compel upon Gulf Power. The motion to compel takes issue with 40 out of 48 interrogatory responses, and 26 out of 35 responses to requests for production.
2. The discovery responses at issue were served upon complainants on April 18, 2005. Complainants sought and obtained two extensions of time to file their motion to compel, in order to complete a May 26-27, 2005 document review prior to filing their motion.

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3. Few (if any) of the issues raised by complainants in their motion to compel relate to the documents Gulf Power did or did not make available for inspection and copying during the May 26-27, 2005 document review. Instead, each issue raised by complainants takes aim at the substance of the written response itself.

4. The FCC's procedural rules allow 7-days to respond to a motion to compel interrogatory responses. 47 C.F.R. § 1.323(c).¹

5. Though Gulf Power does not anticipate generating a tome of like kind, Gulf Power does wish to respond to complainants' 73-page, 66-item motion. But Gulf Power cannot adequately or concisely respond by next Monday, July 18, 2005.

6. Gulf Power submits that a 14-day extension of the deadline is appropriate under the circumstances, and will not prejudice any party. With a 14-day extension, the new deadline would be Monday, August 1, 2005.

7. Complainants do not object to the requested 14-day extension.

Respectfully submitted,



J. Russell Campbell
Eric B. Langley
BALCH & BINGHAM LLP
1710 Sixth Avenue North
Birmingham, Alabama 35203-2015
Telephone: (205) 251-8100
Facsimile: (205) 226-8798

¹ There is no specific time period proscribed for a response to a motion to compel responses to requests for production. 47 C.F.R. § 1325(a)(2). For the sake of simplicity, Gulf Power requests that the deadline for responding to the entire motion be set on Monday, August 1, 2005.

Ralph A. Peterson
BEGGS & LANE, LLP
P.O. Box 12950
Pensacola, Florida 32591-2950
Telephone: (850) 432-2451
Facsimile: (850) 469-3331

Counsel for Respondent

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion For Extension Of Time To Respond To Complainants' Motion To Compel has been served upon the following by Electronic Mail and by United States Mail on this the 13th day of July, 2005:

Lisa Griffin Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554 Via E-mail	Shiela Parker Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554 Via E-mail
Rhonda Lien Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554 Via E-mail	Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary 445 12th Street, SW Washington, D.C. 20554
James Shook Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554 Via E-mail	David H. Solomon Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554
Director, Division of Record and Reporting Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850	Federal Energy Regulatory Commission Docket Room 1A-209 888 First Street, NE Washington, D.C. 20426
John D. Seiver Geoffrey C. Cook Rita Tewari COLE, RAYWID & BRAVERMAN 1919 Pennsylvania Avenue, N.W. Suite 200 Washington, D.C. 20006 Via E-mail	


OF COUNSEL